

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 8, 2004. Claims 1 to 9, 43 to 51, 67 and 68 remain in the application, of which Claims 1, 4, 7, 43, 45, 47, 49 and 67 are independent. Reconsideration and further examination are respectfully requested.

Claims 43, 45, 47 and 67 have been amended merely for an informality.

Claims 1, 2, 4, 5, 7, 8, 49 and 50 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,878,401 (Joseph) and/or U.S. Patent No. 6,119,099 (Walker), Claims 43 to 48, 67 and 68 were rejected under § 102(b) as allegedly being anticipated by U.S. Patent No. 6,009,412 (Storey), and Claims 3, 6, 9 and 51 were rejected under 35 U.S.C. § 103(a) over Joseph. The rejections are respectfully traversed and the Examiner is requested to reconsider and withdraw the rejections in light of the following comments.

The present invention concerns providing pay services (such as printing services) over a network. According to one aspect of the invention, an upper limit of an amount designated by a user to be paid for a designated pay service is detected, and a user interface is displayed to enable the user to select a desired one of the designated pay service *and* a pay service other than the designated pay service which can be provided within the upper limit of the amount to be paid. Thus, according to this aspect, a user can, if they so desire, select *both* the designated pay service *as well as* additional services that can also be provided within the entered limit. In a related aspect, a plurality of additional services that need additional charges other than a basic charge for a basic service but can be provided within the upper limit of the charge are determined, and information of the plurality of

additional services are output so that the user can be provided with both a designated basic service and at least one of the plurality of additional services as selected by the user.

Referring specifically to the claims, independent Claim 1 is a method of providing pay services over a network, comprising the steps of detecting a request for a designated pay service, detecting an upper limit of an amount designated by a user to be paid for the designated pay service, and displaying a user interface to enable the user to select a desired one of the designated pay service and a pay service other than the designated pay service which can be provided within the upper limit of the amount to be paid.

Independent Claims 4, 7 and 49 are apparatus, memory medium, and apparatus (written in non-means-plus-function form) claims, respectively, that substantially correspond to Claim 1.

The applied art is not seen to disclose or to suggest the features of independent Claims 1, 4, 7 and 49. In particular, the applied art is not seen to disclose or to suggest at least the feature of detecting an upper limit of an amount designated by a user to be paid for a designated pay service, and displaying a user interface to enable the user to select a desired one of the designated pay service and a pay service other than the designated pay service which can be provided within the upper limit of the amount to be paid.

Joseph merely discloses that a user inputs a shoe type and price range to search for inventoried shoes. If the input shoe type is not in stock, a list of alternative shoes that fall within the same class, related class, and price range are displayed. (See column 6, lines 4 to 23.) Thus, Joseph merely displays the selected shoe or an alternate

shoe, and the user must chose one or the other. The user cannot, however, chose both the input shoe to be provided within the pay range and an alternate shoe as an additional item that can be provided within the price range.

The Office Action took the position that Joseph provides an interface in which the out-of-stock shoe and the list of alternative shoes is displayed so that the user can select one of the alternative shoes. According to the Office Action, this feature allegedly reads on “displaying a user interface to enable the user to select a desired one of the designated pay service and a pay service other than the designated pay service which can be provided within the upper limit of the amount to be paid.” However, Applicant disagrees with this assessment since the user is not able to select the out-of-stock shoe (i.e., the designated shoe), but can only select one of the alternative shoes. Accordingly, Joseph does not allow the user to select one of the designated pay service *and* a pay service other than the designated pay service that can be provided within the upper limit. As such, Joseph is not believed to anticipate the invention of Claims 1, 4, 7 and 49.

Walker is also not seen to anticipate Claims 1, 4, 7 and 49. In this regard, in Walker, a customer places an order for which a POS terminal determines the total sale price. The POS terminal then determines a rounded price and offers the customer upsells so that the final sale price will be a whole dollar amount. If the user accepts the upsell, the customer will receive either no change due, or change due only in whole dollar amounts, depending on the amount of money tendered. For example, a customer may order a hamburger and small soda for which the total cost is \$1.62. The POS terminal determines a rounded price amount of \$2.00, for which various upsell offers that would result in zero change being due back to the customer are determined. The upsell offers are then

presented to the customer, and if the customer opts to add the upsell, the final total sale price is determined to be the rounded amount so that the user will either receive no change, or will receive change in whole dollar amounts instead of coinage. (See column 6, line 66 to column 7, line 35.) Thus, in Walker, neither the customer nor the POS terminal designate an upper limit of a amount to be paid for designated services and therefore, Walker simply cannot detect the designated upper limit amount. Accordingly, Claims 1, 4, 7 and 49 are not believed to be anticipated Walker.

In another aspect of the invention similar to the foregoing, independent Claim 43 is a service providing apparatus, comprising detecting means for detecting a basic service requested by a user and an upper limit of a charge entered by the user for provision of the basic service, determining means for determining a plurality of additional services that need additional charges other than a basic charge for the basic service but can be provided within the upper limit of the charge, output means for outputting information of the plurality of additional services determined by the determining means, and providing means for providing the user with the basic service and at least one of the plurality of additional services as selected by the user.

Independent Claims 45, 47 and 67 are method, computer-readable medium, and apparatus (written in non-means-plus-function form) claims, respectively, that substantially correspond to Claim 43.

The applied art is not seen to disclose or to suggest the features of independent Claims 43, 45, 47 and 67. In particular, the applied art is not seen to disclose or to suggest at least the feature of determining a plurality of additional services that need additional charges other than a basic charge for the basic service but can be provided

within an upper limit of a charge entered by a user, outputting information of the determined plurality of additional services, and providing the user with a basic service and at least one of the plurality of additional services as selected by the user.

The Office Action took the position that Storey allows a user to purchase and item and to redeem award points to “purchase” an additional item. Thus, as Applicant understands this position, the user can select a service (an item) and an additional service (award points item) that requires an additional charge. However, Applicant disagrees with this assertion since there is no correlation between the cost of the award items and the purchased item such that they fit *within an upper limit of a charge entered by a user for provision of a basic service*. In fact, the “purchase” of the award items appears to squarely exceed any amount entered by the user since it is an additional “purchase” beyond what the user requested. Moreover, it is not understood how a redemption of award points to receive a “free” item corresponds to “purchasing” an additional item in the context of the present invention. Accordingly, Storey is not seen to disclose or to suggest the features of Claims 43, 45, 47 and 67.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner’s earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa,
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Respectfully submitted,



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